

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804
Case No. 17-md-2804
Judge Dan A. Polster

This Document Relates to: All Cases

**SUBMISSION OF MASTERS PHARMACEUTICAL, LLC REGARDING PLAINTIFF
FACT SHEETS AND SERVICE OF PROCESS**

Pursuant to the Court’s January 3, 2023 Order Regarding Plaintiff Fact Sheets and Service of Process, Defendant, Masters Pharmaceutical, LLC¹ (“Masters Pharma”), submits the attached list (Exhibit A) of plaintiff subdivisions that named Masters Pharma as a defendant but (1) did not timely serve a Plaintiff Fact Sheet (“PFS”) to the PFS Repository by the October 14, 2022, deadline, as identified in the Court’s October 6, 2022, Order and/or (2) did not obtain timely service of process of Masters Pharma in the listed case.²

Masters Pharma has prepared this list to the best of its knowledge based on a reasonable investigation. This Submission is submitted without the admission of any liability on behalf of Masters Pharma and without waiving or prejudicing any and all defenses and objections to the claims against Masters Pharma. Masters Pharma expressly preserves and does not waive its

¹ Masters Pharma has also been named as “Masters Pharmaceutical, Inc.” in various cases.

² Per the Court’s January 3, 2023 Order, this list contains only subdivision plaintiffs. Masters Pharma makes no representations regarding the status of service of process as to any cases not identified on this list, and reserves all rights with regard to such cases. Notably, Masters Pharma has been named in at least the following additional cases in which it has not been served, but that are not subdivision-plaintiffs: *Passamaquoddy Tribe – Indian Township v. Purdue Pharma L.P., et al.*, 1:18-op-45876 and *Passamaquoddy Tribe – Pleasant Point v. Purdue Pharma L.P., et al.*, 1:19-op-45100. Further, Masters Pharma has no sales of any prescription opioids within a reasonable proximity of either Passamaquoddy Tribe – Indian Township or Passamaquoddy Tribe – Pleasant Point.

individual rights, reservations, objections, arguments, and remedies, including with respect to service. For example and without limitation, failure to list a case is inadvertent and not intended to waive any rights, including arguments for dismissal. Despite diligent searches of the docket, Masters Pharma may not have notice of all cases that have been filed against it if there has been no service. On January 1, 2018, Masters Pharma sold all of its assets (including the trade name or D/B/A, “River City Pharma”) to Masters Drug Company, Inc., a McKesson entity. At the various times where the docket indicates Masters Pharma was served, Masters Pharma was no longer operating at the address where plaintiffs attempted service (3600 Pharma Way, Mason, Ohio 45036). Service was, therefore, improper and untimely. Further, per the Court’s direction, Masters Pharma has limited its list only to cases brought by plaintiff subdivisions and has excluded cases brought by other plaintiff types (e.g., Tribes, hospitals, school districts, third-party payors, etc.).³ In addition, per the Court’s direction, Masters Pharma has limited its list of cases to those involving failure to timely serve a PFS to the PFS Repository. Masters Pharma reserves its right to raise insufficient, deficient, or incomplete PFSs that were served to the PFS Repository and other challenges at the appropriate time.

Dated: January 30, 2023

Respectfully Submitted,

/s/ William J. Aubel
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³ Consequently, Masters Pharma’s list contains all cases in the opioids MDL brought by plaintiff subdivisions currently known by Masters Pharma.

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CERTIFICATE OF SERVICE

The undersigned certifies on January 30, 2023, the foregoing was filed using the Court's CM/ECF system and will be served via the Court's CM/ECF filing system on all attorneys of record.

/s/ William J. Aubel